

REMARKS

Claims 1 – 5 and 7 remain in this application. Claims 1, 3 and 4 are objected to. Claims 1 – 7 are rejected Claim 6 is canceled. Claims 1 – 5 and 7 are amended herein to clarify the subject matter of the invention.

I herein traverses and respectfully requests reconsideration of the rejection of the claims and objections cited in the above-referenced Office Action.

The title is amended to read “HAT WITH SHADING COVER”.

The Office Action indicates that a substitute specification in proper idiomatic English is required. I submit herewith a substitute specification. Also accompanying this amendment is a reproduction of the original specification with markings indicating the amendments effected in the substitute specification. Entry of the substitute specification is respectfully requested.

A replacement abstract is provided herein on a separate page. It is submitted that the replacement abstract is in full. No new matter is added.

Claims 1 –3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hujar et al. in view of Olajide, Jr. For a rejection under 35 U.S.C. 103(a) to be sustained, the differences between the features of the combined references and the present invention must be obvious to one skilled in the art.

Claim 6 is canceled herein without prejudice, rendering the basis of its rejection moot.

Regarding claims 1 – 3, it is respectfully submitted that the cited references fail to teach or suggest the subject matter contained therein.

Claim 1 includes a recitation directed to providing a sunshade cover removably and rotatably connected to said cap body by means for connecting, capable of putting into the cloth cap body when in not use, having material for cooling, capable of exposing the top of a wearer's head to the outside of the hat body when the shading cover is stored in the hat body and cooling the back part of the head and nape of the wearer when the cover is used for shading, capable of storing or extracting the shading cover into/out of the hat body by turning the shading cover so

that one of a front and rear surfaces of the cover is flush with the surface of the wear's head; and the connecting means having an axle provided at a connected portion of one of the cloth cap body and the sunshade cover. Hujar fails to provide this feature relating to connecting means and Olajide fails to provide this feature relating to the sunshade, capable of putting into the cloth cap body when in not use.

It is respectfully submitted that the proffered combination of references cannot render the rejected claim obvious because the secondary Olajide, Jr. reference dose not provide the teaching noted above with respect to the anticipation rejection that is absent from the primary Hujar et al. reference. Thus, the combination of prior art references fails to teach or suggest all the claim limitations.

Claim 2 is a dependent claim 1. Claim 3 is also believed patentable over Hujar et al. in view of Olajide, Jr. for the same reasons as given above for claim 1.

Therefore, reconsideration of the rejections claims 1 – 3 and their allowance are respectfully requested.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hujar et al. in view of Olajide, Jr. as applied to claim 1 above, and further in view of Benedict.

Claim 4 includes a recitation directed to providing a sunshade cover removably and rotatably connected to said cap body by means for connecting, capable of putting into the cloth cap body when in not use, having material for cooling. It is respectfully submitted that the proffered combination of references cannot render the rejected claim obvious because the Benedict reference dose not provide the teaching noted above with respect to the anticipation rejection that is absent from the primary Hujar et al. reference and the secondary Olajide, Jr.. Thus, the combination of prior art references fails to teach or suggest all the claim limitations. Claim 5 is a dependent claim of claims 1 and 3.

Therefore, reconsideration of the rejections claims 4 and 5 and their allowance are respectfully requested.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snow in view of Benedict. Claim 7 is a dependent claim of claims 1, 3 or 4.

It is respectfully submitted that the proffered combination of references cannot render the rejected claim obvious because the Snow reference does not provide the teaching noted above with respect to the anticipation rejection that is absent from the primary Hujar et al. reference and the secondary Olajide, Jr. and Benedict reference. Thus, the combination of prior art references fails to teach or suggest all the claim limitations.

Therefore, reconsideration of the rejections claim 7 and its allowance are respectfully requested.

In light of the forgoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script that reads "Toyohiro Kobayashi".

Toyohiro Kobayashi

Enc: Substitute Specification and Marked reproduction of original specification. Also
 Substitute Claim and Marked up claim

MARKED-UP AMENDED CLAIMS

1. (Amended) A cap comprising;

a cloth cap body [2 made by cloth];

a sunshade cover [1] removably and rotatably connected to said cap body [2] by [a connecting] means for connecting, capable of putting into the cloth cap body when in not use, having material for cooling, capable of exposing the top of a wearer's head to the outside of the hat body when the shading cover is stored in the hat body and cooling the back part of the head and nape of the wearer when the cover is used for shading, capable of storing or extracting the shading cover into/out of the hat body by turning the shading cover so that one [(e.g., rear surface)] of a front and rear surfaces of the cover is flush with the surface of the wear's head; and

the connecting means having an axle [located] provided [at least one portion] at [the] a connected portion of one of the cloth cap body and the sunshade cover.

2. (Amended) A cap according to claim 1 wherein the connecting means is a stopper pin as the axle thereof so as to provide the sunshade cover to the cap body removably, pivotably moving.

3. (Amended) A cap comprising;

a cloth cap body [made by cloth];

a sunshade cover removably and rotatably connected to said cap body by [a connecting] means for connecting, capable of putting into the cloth cap body when in not use, having material for cooling; and

the connecting means [which is a both-sided adhesive] comprising both-sided hook and loop provided so as to store and extract the sunshade cover into/out of the hat body by turning the shading cover so that one [(e.g., rear surface)] of a front and rear surfaces of the cover is flush with the surface of the wear's head.

4. (Amended) A cap with a sunshade cover comprising:

a cloth cap body [made by cloth];

a sunshade cover removably and rotatably connected to said cap body by [a connecting] means for connecting, capable of putting into the cloth cap body when in not use, having material for cooling; and

the cooling material which is a water-absorbing material as a fiber obtained by processing a polymer that contains the sodium salt of polyacrylic acid as a major component, provided to the sunshade cover.

5. (Amended) A cap according to any claim 1 or [2] 3, wherein the cooling material is a water-absorbing material as a fiber obtained by processing a polymer that contains the sodium salt of polyacrylic acid as a major component, provided to the sunshade cover.

7. (Amended) A cap according to [hood] any claim 1, 3 or 4, [comprising:] wherein the cloth cap body is formed in a headband with elasticity [;].

[a sunshade cover attached removably and rotatably [provided] to the headband having a cooling material provided at a portion thereof which the headband covers a nape of the head when in use; and

the cooling material which is a water-absorbing material as a fiber obtained by processing a polymer that contains the sodium salt of polyacrylic acid as a major component.]

SUBSTITUTE CLAIMS

1. (Amended) A cap comprising;

a cloth cap body;

a sunshade cover removably and rotatably connected to said cap body by means for connecting, capable of putting into the cloth cap body when in not use, having material for cooling, capable of exposing the top of a wearer's head to the outside of the hat body when the shading cover is stored in the hat body and cooling the back part of the head and nape of the wearer when the cover is used for shading, capable of storing or extracting the shading cover into/out of the hat body by turning the shading cover so that one of a front and rear surfaces of the cover is flush with the surface of the wear's head; and

the connecting means having an axle provided at a connected portion of one of the cloth cap body and the sunshade cover.

2. (Amended) A cap according to claim 1 wherein the connecting means is a stopper pin as the axle thereof so as to provide the sunshade cover to the cap body removably, pivotably moving.

3. (Amended) A cap comprising;

a cloth cap body;

a sunshade cover removably and rotatably connected to said cap body by means for connecting, capable of putting into the cloth cap body when in not use, having material for cooling; and

the connecting means comprising both-sided hook and loop provided so as to store and extract the sunshade cover into/out of the hat body by turning the shading cover so that one of a front and rear surfaces of the cover is flush with the surface of the wear's head.

4. (Amended) A cap with a sunshade cover comprising:

a cloth cap body;

a sunshade cover removably and rotatably connected to said cap body by means for connecting, capable of putting into the cloth cap body when in not use, having material for cooling; and

the cooling material which is a water-absorbing material as a fiber obtained by processing a polymer that contains the sodium salt of polyacrylic acid as a major component, provided to the sunshade cover.

5. (Amended) A cap according to any claim 1 or 3, wherein the cooling material is a water-absorbing material as a fiber obtained by processing a polymer that contains the sodium salt of polyacrylic acid as a major component, provided to the sunshade cover.

7. (Amended) A cap according to any claim 1, 3 or 4, wherein the cloth cap body is formed in a headband with elasticity.